

# THE TERRITORY WINS THE LANAI CASE

## REVOLT IN SAMOA

### CHIEFS MOVE FOR INDEPENDENCE

(Associated Press Cable to The Star.)

AUCKLAND, New Zealand, December 21.—The chiefs in German Samoa are preparing to raise an independent flag and will appeal to England and America to justify their action.

## DROUGHT CAUSES MONEY DEFICIENCY

ON ACCOUNT OF PUMPS HAVING TO WORK FOR LONG PERIODS THE APPROPRIATIONS FOR WATER WORKS HAVE RUN SHORT—THE LEGISLATURE WILL BE ASKED TO VOTE A DEFICIENCY AMOUNT.

As the direct result of the drought pumps have been working for the full day and night for a year. The last appropriation made by the Legislature for this work was in two parts, \$30,240 for salaries, and \$71,740 for running expenses and maintenance. This was, however, made on the basis that the pumps should work but sixteen hours each day. With the three extra shifts which have been needed and the extra expense of fuel, the money has melted away fast.

The accounts of the department show that through the extra shifts which have been worked on account of the drought, the sum of \$5,455 has been spent for salaries and \$7,810 for additional fuel. Two oil burning plants have been installed, which have already paid for themselves through the cheapness of this fuel as compared with coal.

On account of the drought the department has been compelled to keep the pump at the Beretania street plant working for the full twenty-four hours for a year and a half, while at the Kalia and Kaimuki plants the

## M'FADDEN CASE DISMISSED

Charge of assault and battery against the fifty little boxer, Jack McFadden, was dismissed in police court this morning on motion of the County Attorney's office. McFadden was several days ago arrested for alleged assault on a man on Hotel street. It seems that McFadden had no res-

ponsibility in the matter, the other being the assailant.

Sentence was suspended for thirteen months in the matter of J. Bettencourt who butted into the affair and endeavored to dissuade an officer from making the arrest.

McFadden comes out of the fracas without a blot on his gentlemanly record.

**DOLL CONTEST.**  
The doll contest at Sachs' closes Thursday evening at 10 o'clock. Please get in votes before then.

## WHO IS TO BE THE MAYOR? THE LANE-FERN CONTEST IS ON

SUPREME COURT BEGINS THE HEARING WITH A VIEW TO DECIDE WHETHER THERE SHALL BE A RECOUNT OR NOT—TESTIMONY BY CITIZENS WHO SIGNED LANE'S PETITION ASKING FOR A RECOUNT.

The hearing of the testimony of those who signed the petition asking for a recount of the votes in the recent election for Mayor of the City and County of Honolulu, commenced this morning in the Supreme Court. When the court assembled at 10 o'clock the call of the roll of petitioners only revealed six as present and Chief Justice Hartwell gave orders that the others should be summoned. The object of the inquiry was to find out upon what the petitioners personally based their belief when swearing to the complaint.

The most sensational testimony which developed was that of James Kulike, who swore absolutely that he had seen Willie Crawford, keeping the tally sheet in his precinct of the Fifth District, when a vote for Lane was called, pretend to tally the vote, but move his pencil over the paper without making any mark.

Most of the witnesses who were examined had received their information from others, though in several cases direct statements alleging that frauds had been committed were made. In speaking of the Crawford precinct, Judge George A. Davis, who with A. G. M. Robertson acts as counsel for the petitioners, stated that he expected to prove the fraud by a chain of evidence. He said that he would show in the first place that Crawford had no business behind the rail, except when casting his vote, that he kept a tally sheet which was incorrect and that this tally sheet was the one used by the inspectors in counting up the returns in the fight for Mayor.

After considerable argument the court announced that the matter of Crawford's offering to bet was not material to the case.

H. M. Von Holt was sworn and stated that his information came as a member of the Central Committee. He said that part of his information came from Frank Bertelmann, in regard to frauds in the country precincts. He stated that he had heard that rejected ballots had been picked up in Kakaako and brought to John Lane.

The first witness called was F. W. Macfarlane, who stated in response to questions of the Chief Justice, that he had sworn to the petition as the result of hearing the charges read before the Territorial Central Committee, of

## NO DAMAGE SUIT ON ALLEN'S DEATH POSSIBLE PERJURY

High Sheriff Henry does not at all appreciate the notice which appeared in the morning paper today stating that his chief deputy, George Sea, had been with Attorney E. C. Peters on Maui looking up evidence for a damage suit against the H. C. and S. Co. for the death of Arthur Allen, who was killed in an accident at Punahoa a short time ago. He stated that Mr. Sea was on Maui on other business than that mentioned and, further than taking a pleasure ride in an automobile with Mr. Peters, had nothing to do with him and had nothing whatever to do with any such suit.

**A RELIABLE REMEDY FOR COUGHS.**  
With the dry, cold weather of the early winter months, parents of croupy children should be on the alert for ominous symptoms. There is no cause for anxiety when Chamberlain Cough Remedy is kept in the home. If this medicine is given as soon as the child becomes hoarse, or even after the croupy cough has appeared, the attack may be warded off. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

## JOHN SOUZA IS KILLED

HE FALLS 95 FEET FROM MOLO-KAI LIGHTHOUSE AND DIES ALMOST INSTANTLY.

Reports by the steamer from Molokai which arrived yesterday tell of the accidental death of John Souza, of this city, who was a laborer on the new lighthouse which is being constructed at the Molokai Settlement. The tower has been built to a height of 95 feet and Souza was working at this distance from the ground when he fell, dying almost instantly.

A coroner's jury was empaneled at once and a verdict of accidental death brought in. The remains were buried shortly after the accident. It appears that Souza thought that a loaded car of concrete was coming up, which would counterbalance the weight of an empty one in which he wished to ride down, but such was not the case, and the sudden fall, with its fatal result, occurred.

## ALLEN HERBERT REGRETS DECISION

Allan Herbert, on hearing of the Lanai case decision remarked: "That is very bad news indeed. It will be regretted by ninety-nine per cent of the people of this Territory."

"I lived here under three kings and one queen, but I have never known of a worse piece of business—giving away an island with forty-six miles of waterfront and 109,000 acres of land for schoolhouse lots that are unsuitable for their purpose."

"If the people were consulted about it the same as in the Federal building site matter, or as the Hilo people want to be consulted about their local affairs, the bargain would never have been allowed."

"The schoolhouse sites are as poor as could have been selected. It was a waste. Just think of placing a school on the Hopper site, in the heart of the street traffic."

"Then there is the High School, set between two streets, no room for the children to play, the Japanese building their shacks on every side. That school ought to have at least twenty-five acres of land for the children to play upon and to cultivate."

## SHANGHAI REPORT

SHANGHAI, December 4.—It is stated here that information has reached the Chinese board of foreign affairs to the effect that Germany and Japan have concluded an agreement concerning China similar to the one concluded between Japan and America.

**MORGAN RETURNING.**  
James F. Morgan, president of the Chamber of Commerce, is returning from the Coast, where he represented Hawaii at various conferences, in the Hawaiian to arrive this evening.

**TWO SENT UP.**  
In police court this morning Hung Pow, for slashing a Chinese night watchman, and Paik Moon Kee, Korean, assault with intent to kill, were held for the grand jury.

Best cups of coffee in the city at New England Bakery.

Confidential matter may be discussed with perfect freedom over automatic telephones. Eaves dropping is impossible. Why don't you subscribe for the new service at Waterhouse Trust Co.?

**DECORATED XMAS TREE.**  
Beautifully decorated Christmas trees selling at the Alexander Young Cafe at \$1.25 each. Open evenings till 11.

Fine Job Printing, Star Office.

## SUPREME COURT GOES AGAINST M'CANDLESS

(Associated Press Cable to The Star.)

WASHINGTON, D. C., December 21.—The United States Supreme Court handed down a decision in favor of the Territory this morning in the Lanai case in which L. L. McCandless sought to obtain an injunction to restrain Gov. George R. Carter from a land exchange involving 47,000 acres.

When told of the above decision Acting Governor Mott-Smith was greatly pleased and stated that he would probably take up the completion of the deal in the very near future.

Lincoln L. McCandless, the plaintiff as a taxpayer in the Lanai land case and who ran for Delegate to Congress on the issue of the suit, when told of the Supreme Court decision as reported in this afternoon's cablegrams, said:

"I am very sorry to hear it. Does not state the grounds, eh?"

"Well, I am very sorry. It convinces me more than ever that there is a necessity for a change in the land laws."

"By this decision it would appear that the whole of our remaining public lands in this Territory, amounting to about 1,684,000 acres, may be traded for a schoolhouse lot by the Land Commissioner and the Governor."

"And I see by the papers that Governor Frear has not asked for any change in the law to prevent such a thing."

"Oh, yes, there is danger. They were only waiting for a decision in their favor to trade off public lands for a school lot in Manoa valley."

## MAINE ORDERED TO VENEZUELA

NORFOLK, Va., December 21.—The battleship Maine has been ordered south. It is supposed that her orders take her to Venezuela.

## ACCIDENT CAUSED BIGGY DEATH

SAN FRANCISCO, December 21.—The coroner's jury which has been investigating the death of late Chief of Police Biggy has returned a verdict of accidental death by drowning.

## STEEL NEEDS NO PROTECTION

WASHINGTON, D. C., December 21.—Andrew Carnegie, the multi-millionaire steel magnate, was today before the Ways and Means Committee. He stated, during his address before the committee, that, in his opinion, the steel industry needed no protection legislation.

## LISBON SHORT \$7,000,000

LISBON, December 21.—Municipal accounts of this city show a shortage of seven millions of dollars.

**IT HAS COME.**  
We have received that large shipment of Tengu Japan rice and we are selling it fast, as the demand is very great. It supersedes all others in flavor and quality. K. Yamamoto, sole agent, Hotel near Nuanu.

Fine Job Printing, Star Office.



**ROYAL BAKING POWDER**  
Absolutely Pure

The only baking powder made with Royal Grape Cream of Tartar  
No Alum, No Lime Phosphate

**CHRISTMAS SHOE ORDERS ARE POPULAR**

BUY THEM AT  
**MANUFACTURER'S SHOE Company, Ltd**

The Place to Buy Shoes.

1051 Fort St. Tel. 292.

**Mays for Storekeepers**

You may find your handsome store fittings wrecked by vandals; or your year's profit gone in goods or money; or

That a burglar-proof safe is not always burglar-proof.

A policy in the Pacific Coast Casualty Company will reimburse you whenever such a loss occurs.

Burglar Policies, \$15 per \$1,000.

**Hawaiian Trust Co., Ltd.,**  
923 Fort Street

**Our Grand Christmas Fair Now In Progress**

**L.B. Kerr & Co., Ltd**

ALAKA STREET.